

UNITED STATES DISTRICT COURT
for the
Southern District of Alabama

United States of America
v.

MAGON EDAIR ELY

Date of Original Judgment: 11/14/2008
Date of Previous Amended Judgment: _____
(Use Date of Last Amended Judgment if Any)

)
)
) Case No: 08-00101-001
) USM No: 10221-003
)
) Pro Se

Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

(Complete Parts I and II of Page 2 when motion is granted)

ADDITIONAL COMMENTS

Defendant was sentenced to the statutory mandatory minimum of 120 months and would not benefit from a guideline recalculation under the Fair Sentencing Act of 2010.

Except as otherwise provided, all provisions of the judgment dated 11/14/2008 shall remain in effect.

IT IS SO ORDERED.

Order Date: 01/10/2012

/s/ Callie V. S. Granade

Judge's signature

Effective Date: _____
(if different from order date)

United States District Judge

Printed name and title